

1 Matthew D. Haley, Esq.
2 State Bar No. 104493
3 THE HALEY LAW OFFICES, P.C.
4 1633 San Pablo Avenue
5 Oakland, California 94612-1505
6 Telephone: (510) 444-1881
7 Facsimile: (510) 444-5108

6 Attorney for Plaintiff
LANE BAULDRY

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

22 IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiff LANE
23 BAULDRY (“Plaintiff”) and Defendants COUNTY OF CONTRA COSTA, CITY OF
24 PIEDMONT, Government Entities, MONA DAGGETT, CHRISTOPHER BUTLER,
25 DEPUTY STEPHEN TANABE, DEPUTY TOM HENDERSON, SERGEANT ANDY
26 WELLS (“Defendants”) (collectively, “Parties”), through their respective counsel of
27 record, as follows

28 //

1 The Parties agree it is in the interest of justice and judicial economy to disclose and
 2 attempt to adjudicate certain dispositive motions at the earliest opportunity. To that end, the
 3 Parties hereby agree:

4 1. Discovery, including depositions, related to the dispositive motions identified
 5 by the parties below in paragraph 5 will be completed by October 17, 2014.

6 2. Depositions taken during this initial discovery period will be limited to topics
 7 relevant to the identified dispositive motions only; however, the Parties can agree to
 8 expand deposition topics, if appropriate.

9 3. Initial dispositive motions will be filed no later than November 1, 2014. This
 10 order does not preclude the filing of any further dispositive motions, as appropriate, after
 11 this date.

12 4. Hearings on initial dispositive motions will be heard on December 12, 2014.

13 5. The Parties intend to file dispositive motions. The following initial
 14 dispositive motions are anticipated:

15 **PLAINTIFF**

16 Plaintiff intends to file a motion for partial summary judgment regarding whether
 17 Deputy Tanabe was acting “within the scope of his . . . employment as an employee of the
 18 public entity”, pursuant to Government Code Section 825, at all relevant times set forth in
 19 Plaintiff’s Complaint.

20 **DEFENDANTS**

21 All defendants intend to bring motions related the existence of liability under
 22 *Monell*; the application of Qualified Immunity; and the legality of the arrest at issue.

23 Defendant County of Contra Costa and Thomas Henderson intend to raise the
 24 following additional issues in their initial dispositive motions: 1) whether there has been a
 25 violation of Plaintiff’s rights under the Fourteenth Amendment of the U.S. Constitution; 2)
 26 whether Plaintiff has a viable claim for conspiracy respecting any alleged violation of his
 27 constitutional rights; and 3) the immunities provided by California Penal Code sections
 28 836.5 and 847(b) and California Government Code section 821.6.

1 To the extent that any party wishes to designate additional issues to be raised in the
2 initial dispositive motions, that party must do so by notifying the other parties of such
3 additional issues in writing by July 11, 2014.

4 6. The Parties further agree that any election *not* to file or *not* to designate
5 dispositive motions within the above-referenced timeframe does not preclude the ability to
6 file a dispositive motion(s) at a later date.

7 **IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD:**

8 Dated: July 2, 2014

THE HALEY LAW OFFICES, P.C.

9
10 By: /s/Matthew D. Haley
11 Matthew D. Haley, Esq.
12 Attorneys for Plaintiff Lane Bauldry

13 Dated: July 2, 2014 **COUNTY OF CONTRA COSTA**

14
15 By: /s/D. Cameron Baker
16 D. Cameron Baker, Esq.
17 Attorneys for Defendants
18 County of Contra Costa
19 Deputy Tom Henderson

20 Dated: July 2, 2014 **ALLEN, GLAESSNER, HAZELWOOD AND WERTH**

21
22 By: /s/Dale Allen, Esq.
23 Dale Allen, Esq.
24 Attorney for Defendants
25 City of Piedmont
26 Sergeant Andy Wells

27 Dated: July 2, 2014 **DUANE MORRIS, LLP**

28
29 By: /s/Allegra A. Jones
30 Allegra A. Jones, Esq.
31 Attorney for Defendant
32 Mona Daggett

1 Dated: July 2, 2014

STEELE, GEORGE, SCHOFIELD & RAMOS

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By: /s/ Geoffrey W. Steele

Geoffrey W. Steele, Esq.

Attorney for Defendant

Christopher Butler

Dated: July 2, 2014

EDRINGTON, SCHIRMER & MURPHY

By: /s/Keith R. Schirmer

Keith R. Schirmer, Esq.

Attorney for Defendant

Deputy Stephen Tanabe

1 **IT IS ORDERED AS FOLLOWS:**

2 Pursuant to the above Stipulation,

3 1. Discovery, including depositions, related to the dispositive motions identified
4 by the Parties by May 16, 2014 pursuant to their Stipulation will be completed by October
5 17, 2014.

6 2. Depositions taken during this initial discovery phase will be limited to topics
7 relevant to the identified dispositive motions only; however, the Parties can agree to expand
8 deposition topics, if appropriate.

9 3. Initial dispositive motions will be filed no later than November 1, 2014. This
10 order does not preclude the filing of any further dispositive motions, as appropriate, after
11 this date.

12 4. Hearings on initial dispositive motions will be heard on December 12, 2014

13
14 Dated: July 10, 2014

15 By: _____

16 The Honorable Charles R. Breyer
United States District Judge

17 **IT IS SO ORDERED**

18 *CB*
19 Judge Charles R. Breyer

